

381.9181 Voting -- Proxies. (Effective January 1, 2011)

- (1) If only one (1) of the multiple owners of a unit is present at a meeting of the association, he or she is entitled to cast all the votes allocated to that unit. If more than one (1) of the multiple owners of a unit are present, the votes allocated to that unit may be cast only in accordance with the agreement of a majority in interest of the multiple owners, unless the declaration expressly provides otherwise. There is majority agreement if any one (1) of the multiple owners casts the votes allocated to that unit without protest being made promptly to the person presiding over the meeting by any of the other owners of the unit.
- (2) Votes allocated to a unit may be cast pursuant to proxy duly executed by a unit owner. If a unit is owned by more than one (1) person, each owner of the unit may vote or register protest to the casting of votes by the other owners of the unit through a duly executed proxy. A unit owner may not revoke a proxy given pursuant to this section, except by actual notice of revocation to the person presiding over a meeting of the association. A proxy is void if it is not dated or purports to be revocable without notice. A proxy terminates one (1) year after its date, unless it specifies a shorter term.
- (3) If the declaration requires that votes on specified matters affecting the condominium be cast by lessees rather than unit owners of leased units:
 - (a) Subsections (1) and (2) of this section apply to lessees as if they were unit owners;
 - (b) Unit owners who have leased their units to other persons shall not cast votes on those specified matters;
 - (c) Lessees are entitled to notice of meetings, access to records, and other rights respecting those matters as if they were unit owners; and
 - (d) Unit owners shall also be given notice, as provided in KRS 381.9177, of all meetings at which lessees may be entitled to vote.
- (4) No votes allocated to a unit owned by the association may be cast.

Effective: January 1, 2011

History: Created 2010 Ky. Acts ch. 97, sec. 41, effective January 1, 2011.